

Phillips, David William 74

197

CONF008184

DYKES\_I\_006055

CONFIDENTIAL RECORD SHEET  
REGISTRATION AND SUBSCRIPTION SERVICE  
BOY SCOUTS OF AMERICA

DATE 4/14/77

FULL NAME David William Phillips  
(No initials if you can possibly get full name)  
ADDRESS 16902 Meadview Drive  
CITY Yorba Linda STATE California ZIP CODE 92666  
DATE OF BIRTH 9/29/56 (This is important and should be exact)  
APPROXIMATE AGE 21 (To be used ONLY when date of birth is not known)  
RELIGION - unknown NATIONALITY American  
OCCUPATION Gardner  
EDUCATION High School  
WEIGHT 150 lbs. COLOR Olive HEIGHT 5' 10"  
COLOR OF HAIR Brown (Afro Cut) COLOR OF EYES Brown  
OUTSTANDING CHARACTERISTICS OR INTERESTS Motorcycle interest  
MARRIED OR SINGLE Single CHILDREN none  
(Number, ages, and names, if possible)  
WIFE'S NAME N/A

SCOUTING CONNECTIONS:

<u>UNIT #</u>	<u>CITY</u>	<u>STATE</u>	<u>OFFICE</u>	<u>DATE REGISTERED</u>	<u>DATE RESIGNED</u>
Post 733	Yorba Linda	Ca	AA	2/27/75	11/18/76

SPECIAL RECOGNITION \_\_\_\_\_

RECOMMENDED FOR CONFIDENTIAL FILE FOR FOLLOWING REASONS:

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> CONVICTION OF CRIMINAL CONDUCT                | <input type="checkbox"/> SUBSTANTIATED REPORTS   |
| <input checked="" type="checkbox"/> OFFICIAL CHARGES OF CRIMINAL CONDUCT (REVIEW) | <input type="checkbox"/> UNSUBSTANTIATED REPORTS |

SPECIFY THE FACTS WHICH LEAD YOU TO RECOMMEND INDIVIDUAL FOR CONFIDENTIAL FILE  
AND LIST SUPPORTING DOCUMENTS:

Document Attached from the Municipal Court, North Orange County  
State of California

Signed \_\_\_\_\_

SCOUT EXECUTIVE

Council Orange County Council #39

CONF008185

DYKES\_I\_006056

June 3, 1977

Mr. Kenneth Hickenbottom  
Scout Executive  
Orange Co. Council, No.39

PERSONAL AND CONFIDENTIAL  
Re: David Phillips

Dear Ken:

Thank you for the completed record sheet concerning the above Scouter. We have added this information to his file. We still need more information before we can review this case with our Attorney. Please send us as soon as possible information concerning the sentence this man received.

Sincerely,

Paul I. Ernst, Director  
Registration & Subscription Service

af

CONF008186

DYKES\_I\_006057



ORANGE COUNTY COUNCIL 39 | P. O. BOX 5315 | 3811 SOUTH BEAR ST. | SANTA ANA, CALIFORNIA 92704 | (714) 546-4990

April 15, 1977

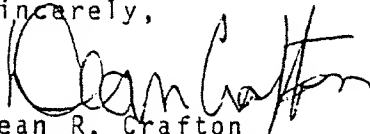
Mr. Paul I. Ernst, Director  
Registration & Subscription Service  
National Council, B.S.A.  
North Brunswick, New Jersey 08902

PERSONAL AND CONFIDENTIAL  
Re: David Phillips

Dear Paul:

As requested we have completed the enclosed Confidential Record Sheet. We have also enclosed a copy of the memo to me from George Cowden, Exploring Executive, a note from [REDACTED] our assistant Registrar and mother of [REDACTED] and a copy of the registered complaints from the County of Orange. We hope this will help in placing this man on file.

Sincerely,

  
Dean R. Crafton  
Director of Field Service

DRC:sem

Enclosures

"Scouting Today Is a Lot More Than You Think . . ."

CONF008187

DYKES\_I\_006058

## MEMORANDUM

TO: Dean Crafton

FROM: George Cowden

SUBJECT: Post 735 Associate Advisor Problem

DATE: November 23, 1976

\* \* \* \* \*

David Phillips

Associate Advisor Post 735

Arrested - November 19, 1976 by Brea Police Department

Charges - Indecent exposure and Child deformation (child annoyance)

12:30 Noon Wednesday, November 17, 1976 - [REDACTED] arrived home to find Detective Winder from Brea Police Department in his living room interviewing his step daughter [REDACTED]. This was the first [REDACTED] and his wife [REDACTED] knew of the problem. The officer was there in response to information furnished by neighbors.

The story briefly is this:

David Phillips paid [REDACTED] (approx. 12 years of age) \$1.00 for each day that he could get some girl to come to his house for the purpose of dressing in cowboy boots and bathing suits to pose for him in his livingroom while he sat on the couch with pants and shorts off and masterbated.

The girls were paid \$2.00 each time. There were 3 girls involved; [REDACTED] age 12 - [REDACTED] age 11 - [REDACTED] approx. age 12.

He asked [REDACTED] to touch the boots (still on her feet) against his penis. He has displays of Playboy nudes on his walls - only of girls wearing BOOTS.

[REDACTED] was there about 10 times before she quit. [REDACTED] has gone repeatedly since June. [REDACTED] entered the picture in September after [REDACTED] stopped going.

[REDACTED] father noticed that she had "extra" money and quizzed her about its source. She said that [REDACTED] had asked her to go to David Phillips house and "dress up for him". The police went to the [REDACTED] house to verify [REDACTED] story with [REDACTED]. He then told the police about [REDACTED] "posing" for David Phillips. The police quizzed [REDACTED] and she told them about [REDACTED]. The police came to quiz [REDACTED] and this is when [REDACTED] returned home to find Detective Winder in his livingroom talking to [REDACTED].

All three girls stories were the same. Detective Winder went to talk to David Phillips and David Phillips readily admitted that the girls stories were true.

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November 18, 1976 - Detective Winder took a warrant for David Phillips' arrest from the D.A.'s office - the charges were indecent exposure and child deformation. Child insurance

November 19, 1976 - David Phillips was arrested and taken to the Santa Monica Police Department. He pleaded guilty to the charges and was held in jail until his arraignment on Friday, November 19, 1976.

#### UNIT ACTIONS

November 17, 1976 - 1:00 P.M. - [REDACTED] the Unit Committee Chairman, called Ron Carroll, the Unit IR, and informed him of the problem and requested that David Phillips be allowed to go on the Post planned outing for November 21, 1976.

November 19, 1976 - [REDACTED] informed George Cowden the District Exploring Executive of the events as she knew them at the time, and he notified his superiors that there was a potential Red Flag developing.

November 21, 1976 - David Phillips did not appear at the scheduled outing.

#### FOLLOW UP STEPS

1. Joanne Gaudin will call Ron Carroll to get the latest developments on him. She will request that he write a letter to David Phillips informing him that he is no longer in the Association, which that Post is not accepting. She will deliver a copy of the letter to the Council for its files. Ron Carroll will also deliver a copy of the letter together to [REDACTED] the letter and [REDACTED] [REDACTED].

2. Joanne Gaudin will get a copy of the initial report for the Council files.

3. Joanne Gaudin and George Cowden will check to see what happened at the incident on November 19, 1976.

jd 11/13/76

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ORANGE COUNTY COUNCIL

BOY SCOUTS OF AMERICA

M E M O

TO: Dean Crafton

DATE: 11/29/76

FROM: [REDACTED]

SUBJECT: David Phillips

David Phillips appeared at Brea Police Dept.  
and surrendered himself at the station at  
the Orange County Municipal Court  
warrant for his arrest.

On 7/13/76 charging PC 647 - A child  
molester and PC 261.1 - Indecent exposure.

Deposition scheduled 3:30 - North Orange  
County Court on the 26th of November.

370-4100

jc

CONF008190

IN THE MUNICIPAL COURT, NORTH ORANGE COUNTY  
JUDICIAL DISTRICT,  
COUNTY OF ORANGE, STATE OF CALIFORNIA

NO. 107517419  
COURT CRIMINAL

THE PEOPLE OF THE STATE OF CALIFORNIA,  
Plaintiff,  
Vs.  
DAVID WILLIAM PHILLIPS  
Defendant.

The undersigned, certifying upon information and belief, complains that on or about 19\_\_\_\_, in the City of \_\_\_\_\_, County of Orange, State of California, the said defendant did commit a crime by violating Section(s) \_\_\_\_\_ of the Penal Code, a misdemeanor, by willfully and unlawfully

*R. Bender for*  
HUGH SWANSON  
ATTORNEY AT LAW

141 993-8001

YORBA VALENCIA LAW CENTER  
801 EAST YORBA LINDA BOULEVARD  
PLACENTIA, CALIFORNIA 92870

SEE ATTACHED COMPLAINT

DATED \_\_\_\_\_ 19\_\_\_\_, at City of \_\_\_\_\_, County of Orange.

I certify under penalty of perjury that the foregoing is true and correct.

SIGNED \_\_\_\_\_  
(Complainant)

Bail Deposited including P.A.:	Bond \$ Cash \$	Date Deposited:	Date Posted:
10,000.00			

CRIMINAL DOCKET

UPDATE

10 13 70

WARRANT RECORD

1 R

CONF008191

DYKES\_I\_006062



NOV 19 1976

DEC 1976

Page 2

COMPLAINT FILED. AFFIDAVIT IN RE: WARRANT  
 RECEIVED AND FILED. AFFIDAVIT COMPLETED  
 BY THE COURT. *11/10/76*  
 DEPUTY CLERK OF COURT  
 CLERK OF COURT  
 S. D. R.

DAVE BACH, JR.

NOV 19 1976

Complaint Filed. Cash Bail. *11/26/76* *16.850*  
 Defendant released on calendar.

*Miss warrant issued 11/18/76. Returned & filed*

NOV 26 1976

NOV 26 1976

Court advised defendant of his right (1) to counsel at this and every stage of the proceedings, to reasonable continuance in custody pending trial, and to have the court appoint an attorney to represent him if he is unable to afford one; (2) to a reasonable time to prepare his defense, and to a public trial; (3) on a plea of not guilty, to public trial; without cost, by either party to the present district of the offense, within P.C. 1382 time, and to have the case dismissed if it is so fast and without cost, or by either party to present up with just cause for later trial; to subpoena witnesses without expense to him; to be free of examining witnesses against him; to refuse to testify; (4) to be released on a fair and reasonable bond pending further proceedings; (5) on a plea or finding of guilty to be sentenced not less than six hours and not more than ten days thereafter.

DAVE BACH, JR.

Cause called for arraignment. Judge..... presiding.  
 People..... represented by..... City Atty./Dep. D.A.  
 Defendant..... Court.  
 Defendant..... Counsel.  
 Defendant gave..... charged/corrected.  
 Charge read to defendant. Statutory range of sentences was described. Court inquired and determined that defendant heard and understood the statement of his rights, the charge and the statutory range of sentences.

Case continued for plea/trial/sentence/..... Court ordered  
 defendant to appear personally at..... 12-9 1976  
 at..... in Div. 6

*referred to Dist "A" Richard Behn*

*Defendant has \$1200 - having bike - request for PD denied.*

Defendant released on his own recognizance.  
 form for release on own recognizance signed and filed.

DAVE BACH, JR.

MELODY STREUR

*Self has  
 1200 - having bike  
 request for  
 PD denied  
 Dist "A" arr  
 Cont til  
 12-9  
 12-9  
 Richard Behn*

Page 10 of 19

JAN 24 1977

JAN 24 1977

Motion Called for Court Calendar  
 Both sides by Donald R. Ledy, City  
 Attorney, Defendant present in  
 Court, in pro H. S. Sweeney, Attorney

Defendant waived right to speedy trial. The court found that waiver was made knowingly and intelligently.

Stipulation for Continuance  
 Signed by all parties filed.

Case continued for plea trial/sentence July 3-31 Court ordered  
90/17 by 7 1977  
 Defendant in Div.

Defendant released on his own recognizance.

MASON L. EDITION

KRIS REYNOLDS

MAR 21 1977

MAR 21 1977

Case called on Court Calendar  
 Both sides by Mike Sweeney, City  
 Attorney, Defendant present in  
 Court, in pro H. S. Sweeney, Attorney

Defendant waived right to speedy trial. The court found said waiver was made knowingly and intelligently.

Case continued for plea trial/sentence July 3-30 Court ordered  
90/17 by 7 1977  
 Defendant in Div.

Defendant released on his own recognizance.

LUIS A. CARRERAS

KRIS REYNOLDS

PRIORITY

THUR

60-2224-2242

CONF008194

DYKES\_I\_006065

MAR 21 1977

O.R.

MAR 30 1977

Cont'd

4/4/77

9th

d/s

Trial

PRIORITY

MUST

GO!

Theif

O.R.

APR 4 1977

MAR 30 1977

Cause called on Master Jury Calendar  
 Both sides ready. People represented by Mike Bear, City  
 Attorney. Defendant present in  
 Court, in person, represented by Bruc Herring, Attorney

Defendant waived right to speedy trial. The court found said waiver was made knowingly  
 and intelligently.

PRIORITY II

Cause called for plaintiff/defendant Jury 4-4 Court approved  
 to appear on 4-4 7

Defendant released on his own recognizance.

MUST GO!!

LINS A. CARDENAS

JURY TRIAL

APR 4 1977

Cause called on Master Jury Calendar  
 Both sides ready. People represented by Don Jensen, City  
 Attorney. Defendant present in  
 Court, in person, represented by St. Swanson, Attorney

Good Cause Appearing Therefore Cause  
 Transferred to Div. 3 for Trial

Cause called for Court-Jury trial in Division 3-57  
 Both sides ready. People represented by Peter W. Harkness, City  
 Attorney. Defendant present in  
 Court, in pro per, represented by Doug Swanson, Attorney.

Defendant waived right to jury trial. The court found said  
 waiver was made knowingly and intelligently.

Motion by defense that all witnesses  
 waiting to testify be excluded from  
 the courtroom. Motion granted.

Witnesses ordered to remain outside.

(10)

CONF008195

DYKES\_I\_006066

the courtrooms, until called to testify.

0

Introduced & ordered marked pro/dem identification #.....

Witness admonished.

Noting by defendant that parents of [REDACTED] to remain outside of courtroom.

Motion granted.  
to remain outside of corridors.

Introduced & ordered marked & filed per ~~the~~ exhibit # 1

\_\_\_\_\_

people advised court that 3rd witness would be in at 3:30 PM. Requested the court ~~12~~ take 45 minute recess until then. Court is ordered.

The following witnesses were sworn and testified for the  
PEOPLE: DEFENDANT:

Officer James M. Windsor  
People's Rests, Palmdale, Calif.

The following witnesses were sworn and testified for the  
 PEOPLE: DEFENDANT:

David Williams Phillips

Defendant rests — all parties rest.

Requirements Opened and Closed  
as to Counts 1 and 4

The Court finds the defendant GUILTY - NOT GUILTY  
as charged. Defendant waits a time for sentence.

As to Counts 1, 3 and 5

The Court finds the defendant GUILTY as charged. Defendant waives time for sentence.

[REDACTED] in and between counsel  
and ordered by the court that  
all exhibits introduced and received  
during this court trial be returned  
to parties that submitted them

Date:

APR 4 1977

Pete W. Huchens

Attorney for People

[REDACTED]  
Attorney for Defense

Received 1 pair women's boots  
entered as exhibit 11 for People

Date:

APR 4 1977

Pete W. Huchens

Attorney for People

Copy of Psych Report given to Prob. Dept.

DEFENDANT

BATHING SUIT CASE REFERRED TO

REFERRED TO PROB

5-6-77

FOR HEARD ON PROB. ALON. SEN.

TO BE [REDACTED] [REDACTED] [REDACTED]  
RECEIVED ON [REDACTED] [REDACTED] [REDACTED]

Form No. 1

ALL [REDACTED] SIGNED AND FILED

LOGAN MOORE

GLORIA FOREMAN

CONF008197

DYKES\_I\_006068

NORTH DISTRICT

COUNTY OF ORANGE, STATE OF CALIFORNIA

HONORABLE COURT  
County Clerk

NOV 18 1976

ROBERT B. KILL, Clerk

COMPLAINT

NO 76-2415

STATE OF THE STATE OF CALIFORNIA,  
vs Plaintiff,

DAVID WILLIAM PHILLIPS 9/29/56

Defendant(s)

The undersigned hereby certifies, upon information and belief: CT I: That on or about the 28th day of June, 1976, at and within the above named Judicial District, County of Orange, State of California, violation of Section 314.1 of the Penal Code a misdemeanor, was committed by DAVID WILLIAM PHILLIPS

and lewdly expose his person and the private parts thereof in a public place and in any place where there were present other persons to be offended and annoyed thereby.

CT II: That on or about the 28th day of June, 1976, at and within Orange County, California, the crime of Misdemeanor, to-wit: Violation of Section 647a of the Penal Code was committed by DAVID WILLIAM PHILLIPS, who at the time and place last aforesaid, did then and there willfully and unlawfully annoy and molest a child under the age of eighteen years.

CT III: That on or about the 28th day of June, 1976, at and within Orange County California, the crime of Misdemeanor, to-wit: Violation of Section 647a of the Penal Code was committed by DAVID WILLIAM PHILLIPS, who at the time and place last aforesaid, did then and there willfully and unlawfully annoy and molest a child under the age of eighteen years.

CT IV: That on or about the 15th day of August, 1976, at and within Orange County California, the crime of Misdemeanor, to-wit: Violation of Section 314.1 of the Penal Code was committed by DAVID WILLIAM PHILLIPS, who at the time and place last aforesaid, did then and there willfully and unlawfully and lewdly expose his person and the private parts thereof in a public place and in any place where there were present other persons to be offended and annoyed thereby.

CT V: That on or about the 15th day of August, 1976, at and within Orange County California, the crime of Misdemeanor, to-wit: Violation of Section 647a of the Penal Code was committed by DAVID WILLIAM PHILLIPS, who at the time and place last aforesaid, did then and there willfully and unlawfully annoy and molest a child under the age of eighteen years.

Therefore, and based upon the declaration attached, said complainant prays that a warrant may be issued for the arrest of the defendant(s) herein named, and that said defendant(s) be dealt with according to law.

I declare under penalty of perjury that the foregoing is true and correct.

Issued at Orange County, California.

11/18/76

On 11/18/76

F-0232-82.4

*[Signature]*  
A. P. Under

Complainant

CONF008198

DYKES\_I\_006069

December 17, 1976

Mr. Kenneth Hickenbottom  
Scout Executive  
Orange Co. Council, No. 39

PERSONAL AND CONFIDENTIAL  
Re: David Phillips

Dear Ken:

Thank you for the separation notice and information we received from Dean Crafton, concerning the above Scouter. We have placed this information in our file.

However, we would appreciate knowing what the disposition was of Mr. Phillips case. A detailed letter concerning the facts in this case and a copy of the police or court record will help support our placing this man on file. This information is important for future reference purposes and would certainly strengthen our position of refusing to accept any future application for registration we might receive from this man.

Enclosed is a confidential record sheet which we would appreciate your filling out and returning to us as soon as possible, together with the above information. Unless we receive this material, it will be difficult to keep this man's name on the Confidential file.

Sincerely,

Paul I. Ernst, Director  
Registration & Subscription Service

af  
Encl.

CONF008199

DYKES\_I\_006070





# SEPARATION NOTICE

## BOY SCOUTS OF AMERICA

REGION NO.	COUNCIL NO.	DISTRICT NO.	TYPE OF UNIT
W	39	44	Post
			NATIONAL NO.
			2733

EXPIRATION DATE OF UNIT OR ROSTER Feb. 77

DATE OF SEPARATION Nov. 29 1976

### INSTRUCTIONS TO THE LOCAL COUNCIL

Separation notices should be sent to the national office during the charter year for the following reasons only:

1. When a boy or adult transfers from one unit to another within the council (pack to pack, pack to troop, troop to troop, troop to post, post to post).
2. When an adult changes position within a unit or council.
3. When a Boy Scout or Explorer reaches 18 years of age

and registers as an assistant Scoutmaster or an associate Advisor.

4. When a member dies (please include his last address).  
When a boy or an adult pays a registration fee, he is entitled to membership until the expiration date indicated on his membership certificate.

Separation notices must not be sent to the national office at the time of reregistration or for unregistered units.

For a boy transferring to a new unit, submit an additional enrollment to add him to his new unit. This separation notice only separates him from his previous unit, it does not add him to his new unit.

BOYS' NAMES	Show last registration: C. Cub Scout. S. Boy Scout. E. Explorer	WHY DID THE BOY LEAVE THE UNIT? If he transferred or graduated, indicate type of new unit and number, city, and state. Give specific reason for separation.
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		

*Handwritten notes:* "Hatched 1/10/77", "YES FOR DIST. OF CASE", "MORE DETAILS"

For an adult transferring to a new position, submit an adult application to add him in his new position. This separation notice only separates him from his previous position, it does not add him to his new position.

ADULTS' NAMES AND ADDRESSES	In what position was he registered?	Fee paid in this position?	Reason for separation.
1. David Phillips 16902 Meadow Dr. Yorba Linda, Ca. 92686	AA	Yes	Has been charged by the Brea Police Dept. with Child Annoyance and Indecent Exposure. I.R. has relieved him of Associate Advisorship. Supportive materials are enclosed.
2.			
3.			
4.			

If more

quired, please use a second sheet and number both.

Approved

*Dean Hatten*  
(Scout Executive)

CONF008200

DYKES\_I\_006071

ORANGE COUNTY COUNCIL

BOY SCOUTS OF AMERICA

M E M O

TO: Dean Crafton

DATE: 11/29/76

FROM: [REDACTED]

SUBJECT: David Phillips

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David Phillips appeared at Brea Police Dept.  
and surrendered himself at the station at  
the North Orange County Municipal Court  
warrent for his arrest.

NM 7612415 charging PC 647 - A child  
annoyance and DC 314.1 - Indecent exposure.

Deposition arrainment 8:30 - North Orange  
County Court on the 26th of November.

870-4100

jc

CONF008201

DYKES\_I\_006072

Nov 26 1976

To;

Boy Scouts of America and To  
Whom it May Concern.

As of Nov. 19<sup>th</sup> 1976 a Mr.  
David Phillips has been relieved  
of all duties & Position of  
Leadership From Post 733  
of Barneys Bikers.

Dave has been Suspended  
From all Functions of Barneys  
Bikers Til he proves that  
he can be allowed to take  
part again in its activities.

Will advise this Council of  
His Future if Any with Post 733.

Respectfully

IN